

# Summary Report and Recommendations

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Lakeland Police Advisory Commission

Recommendation based on the Survey Results as compiled by Larry Ross, Ph.D.

10/21/2013

The following report and recommendations are the result of the work conducted by the members of the LPAC. The content of the report represents input gathered from personal interviews, telephone interviews and an online survey administered between September 23 and October 1, 2013. The original comments have been edited as directed by the LPAC at their October 4 meeting.

LAKELAND POLICE ADVISORY COMMISSION REPORT  
Final Draft

On July 12, 2013, Mayor Gow Fields announced the creation of the Lakeland Police Advisory Commission following the revelation of allegations of sexual activity involving a number of Lakeland Police Department personnel, both on and off duty, and a critical letter from State Attorney Jerry Hill to Chief Lisa Womack. As Mayor Fields noted in his letter of appointment to the members of the Commission:

This is a challenging moment for our police department and our city. As you know, the Lakeland Police Department and the Lakeland city government are addressing several important matters that have the potential to affect the confidence the citizens of Lakeland must be able to place in what is perhaps the most important official institution of our community. Your role will be to provide the perspective of informed citizens asking the right question: What must be done in order to strengthen the trust and confidence of the people in their police department?

Scope of Review

The Commission was charged with defining and answering questions concerning the recent controversies involving the Lakeland Police Department, and with suggesting actions that can be taken to improve community trust. Specifically, the Commission was to focus on four questions:

- Do we —The City and Lakeland Police Department (LPD)— have the appropriate processes in place to address the challenges we are confronting today?
- What can be done to improve a speak-up culture within the LPD and the City's organizational footprint?
- What can be done to improve a culture in which citizens can know their complaints will be heard, fairly evaluated and acted upon promptly?
- What can we set as measurements that we can fairly use to judge success?

LPAC Membership

The Lakeland Police Advisory Commission consisted of 10 members:

- Bruce Abels, Chair, Retired President of Saddle Creek Corporation
- Tim Jackson, Co-Chair, Chief Operating Officer, NuJak Development
- Myra Bryant, President, Lakeland Neighborhood Association Council
- Rick Garcia, Owner and President, Gulf Coast Avionics
- Katrina Lunsford, Vice President, Fifth Third Bank
- Frank O'Reilly, Former Mayor of Lakeland
- Paul Roberts, AP History and Government Teacher, Lakeland Senior High School
- Dr. Jim Sewell, Retired Assistant Commissioner, Florida Department of Law Enforcement
- Mary Smith, President, Dixieland Neighborhood Association
- Maria Torres, President, Just Cares, Inc.

### Schedule of Meetings

Following its initial meeting on July 25, 2013, the Commission held an additional 10 meetings:

- August 2
- August 8
- August 16
- August 23
- August 28
- September 3
- September 11
- September 18
- October 10
- October 18

Copies of the agendas for and material presented at each of these meetings are available on the City of Lakeland website. Additionally, Chair Abels presented an Interim report on behalf of the Commission to the Mayor and City Commission on September 3, 2013, and a Final Report to the Mayor Commission at its meeting on October 21, 2013.

### Structure of this Report

At its September 23 meeting, the Commission adopted a work plan to address the first question of its charge. This report tracks that plan provides commentary on the remaining questions. For each question, the Report provides commentary on reaching any findings and specific recommendations for action by the City of Lakeland and the Lakeland Police Department.

**A note and caution regarding the following commentary: The commentary in this report represents both individual and collective opinions of the members of LPAC. The commentary is based on the input received by the facilitator directly from each member of the LPAC and the discussion of the draft report at the October 4 meeting. The commentary has been lightly edited for content clarity specific to the area of focus, punctuation and grammar.**

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**Question #1: Do we - City of Lakeland and the Lakeland Police Department - have the appropriate processes in place to address the challenges we are currently confronting?****1A. Processes, re: Public records, media relations process, introduction to the LPD, process for accreditation.**

**Commentary:** During the course of this review, City Manager Thomas, Chief Womack, and their respective staff responded consistently and promptly to requests for information as requested by this Commission. The establishment of a public website reflecting all information available to the LPAC and the public nature of our meetings were critical in ensuring the transparency of our deliberations. Processes such as Chief Chats and social media updates also are good examples of positive communications efforts.

As part of its review, the Lakeland Police Advisory Commission asked Dr. Jim Sewell, one of its members with a law enforcement background, to assess several areas of the Department's operations. While many of his observations are discussed in this report, the Appendix that follows includes all of his comments and conclusions that were provided to the Commission.

**Recommendation 1:** That City Manager Doug Thomas, Chief Womack, and their respective senior staff should be recognized for their responsiveness to the Commission during its tenure. We encourage the City and LPD to continue to aggressively pursue the initiatives referenced in Dr. Sewell's Appendix.

**Commentary:** Chief Womack was hired with the expressed focus by the City Manager on restoring National and State accreditation status, which was lost during the previous administration. Chief Womack successfully guided the Department through that process and completed that task this summer in spite of distractions caused by other internal events. While, in light of these other events, the timing of this re-accreditation may be subject to question, this dual reaccreditation is still an outstanding accomplishment and should be publicly and professionally recognized. Further, maintenance of accreditation is part of ensuring future performance at the LPD.

**Recommendation 2:** That the Lakeland Police Department continue to maintain its accreditations through the Commission for the Accreditation of Law Enforcement Agencies and the Commission for Florida Law Enforcement Accreditation.

**Commentary:** We conclude that at best, City Commissioners, City of Lakeland management, and the Lakeland Police Department get mixed reviews for their external communication efforts and processes during these trying times. Policies are in place, designated personnel assigned and resources allocated to maintaining external communication channels, but results are not consistently effective. Efforts range from ineffective as it relates to the LPD's responses to past public records requests (which have been problematic) to very effective as seen in the great job providing information rapidly and completely to the LPAC. In his report to the City of Lakeland, Judge Campbell has positively spoken to the legal sufficiency of the Department's policies and procedures and the Chief's commitment to Judge Campbell to the LPD's compliance with the letter and the spirit of the law. While that is well and good, we must also recognize the intention of both Florida's Public Records and Sunshine Laws and the need to ensure transparency in governmental operations, including that of the Police Department. Such recognition requires compliance with the spirit as well as the letter of the law.

These mixed results reflect the need to create a more positive and supportive approach to the liaison between the LPD, the City and the media. Until consistent improvement is demonstrated it may be necessary for the City Manager to review the process from the initial request for public records through response, and create a quarterly media review meeting in which he is involved. The Chief's initial choice for her public affairs officer seems to have been a poor one and caused damage to her relations with the media.

**Recommendation 3:** That the Lakeland Police Department ensure that the individuals designated as Public Information Officer, Public Safety Communications Specialist, and Public Records Supervisor, as well as any others responsible for the dissemination of public records:

- Receive professional training in his/her role and responsibilities,
- Receive professional education on compliance with the State's Public Records and Sunshine Laws from an entity outside of City government,
- Institute or participate in regular meetings with representatives of local media outlets, including the Lakeland Ledger, depending on the responsibilities of the role,
- Develop a strategic plan for the enhancement of relations with the local media

**Commentary:** Over the past several months, State Attorney Jerry Hill has severely criticized the Lakeland Police Department and a number of its practices. In addition to several formal letters and public comments, he has specifically taken to task Chief Womack's leadership, noting in his letter of September 27 to City Manager Thomas his belief that she "continues to prove she is incapable of leading the Lakeland Police Department. This strained relationship between Mr. Hill and Chief Womack has adversely affected the men and women of the Lakeland Police Department and their efforts to protect and serve the citizens of Lakeland. Consequently, the re-establishment of this professional relationship is a critical necessity and must be accomplished with the highest sense of urgency. Only by on-going and successful performance and interaction will these issues be overcome.

**Recommendation 4:** That the City of Lakeland, through its City Manager and in conjunction with the Chief of Police, establish formal, quarterly meetings between leadership of the LPD and the State Attorney's Office to improve the relationship, to head off disagreements, and to help LPD improve its investigative and court performance. The results of such meetings should be reported to the Mayor and City Commission on a regular basis.

**Commentary:** Leadership of the Lakeland Police Department at times did not seem to understand the importance of appearances in dealing with aspects of this crisis. The Chief's statement about "cat and mouse" games played with the media; allowing Lieutenant Lehman, while under investigation for allegations of impropriety in office, to teach a class on the agency's code of conduct; and the appointment of the Departmental Values Committee without adequate representation by patrol and night shift officers we saw gaps in the ability of the administration to grasp the totality of these unique circumstances it faces.

**Recommendation 5:** That the City Manager, through the process of acculturation and training for all City of Lakeland and Lakeland Police Department employees, stress the importance of the public's perception of their actions, particularly of those in leadership positions, when carrying out their respective responsibilities.

**1B. Processes, re: Accountability, Internal Communication, and processes for investigation of complaints against LPD personnel.**

**Commentary:** We believe strongly that accountability starts with leadership and must permeate the organization. In that context, we conclude that accountability and the related processes for the investigation of complaints needs improvement. There must be a current and future focus on accountability. From the responsibility of dispatch, to the earlier mentioned efforts for improving the reporting to the public, reaching faster resolution and insuring a timely response to the complainant must be a priority – without fear of retaliation. While there are processes in place, there is a need to formalize the complaint system and reporting review for both the LPD and the City. If people feel that their concerns will be heard and dealt with properly, direct reporting to the media may not be as necessary. There is a need for more transparency and better metrics. Some members of the LPAC feel that the process that is in place is not being used by staff in part because of the "Blue Shield" culture.

We recognize that the Departmental Policy manual was revised and updated during the accreditation process, but, in light of the circumstances under which we were convened, we question whether it is fully carried out in the field. Expectations may be well documented, but there is insufficient proof that officers "get it." All LPD staff needs to live and breathe the RITE value system (See 1C of this report for further discussion). The expectation is that the LPD continues to improve its services to the citizens of Lakeland. The idea that there were only 22 people who were the problem is not the way to approach the improvements that are needed. One person can take a City down. The expectation is that Leadership who owns this responsibility will approach each day as if it is an opportunity to improve and change. Chief Womack's initiative in establishing the Employee Task Force a good start towards improving internal communications. The Chief Chats and social media initiatives are also good steps, but the media and other resources will continue to be the alternative way of communication if employees feel that their voices are not being heard and taken seriously. The open door policy the Chief talks about can be improved . The organization – both LPD and the City – needs more MBWA (Management By Walking Around) by the members of the senior leadership team.

**Recommendation 6:** That the City invite several local Human Resource/Training professionals to conduct an outside review of the "Supervisor U" curriculum for completeness of content and then to audit the next scheduled training session to ensure that it is strong and effective. Consideration should be given to prioritizing Sergeant enrollment in these classes.

**Commentary:** It appears that, while Chief Womack has implemented a number of steps to deal with those issues identified by State Attorney Hill, the Lakeland Ledger, and others, certain activities should be taken to ensure that these bodies and the communities retain their faith in the Lakeland Police Department. While the choice of the entity conducting such a review may be subject to more appropriate discussion, the implementation of an independent management review can go far in restoring the confidence of the citizens to the Lakeland Police Department.

It should be noted that at Chief Womack's direction, the Department has initiated a 40-hour Sergeants Academy to prepare newly appointed supervisors for their increased responsibilities. We believe that the Sergeants' Academy is a critical initiative, given the relatively high number of sergeants involved in the events that we are dealing with. Included in the curriculum is a discussion about expectations with the Chief of Police and a two-hour session on law enforcement ethics and the Department's Code of Conduct. Following completion of this class, newly appointed patrol sergeants are assigned a mentor help their transition into the new position.

**Recommendation 7:** That the City of Lakeland, on behalf of its police department, retain a qualified law enforcement entity, such as the Police Executive Research Forum, International Association of Chiefs of Police, Florida Police Chiefs Association, or MGT of America, to:

- Review LPD's operational processes, procedures, and practices;
- Review the adequacy of development and preparation of new supervisory and management personnel, including the curriculum and presentation of the Sergeants Academy;
- Identify performance and behavior issues which can be addressed by enhanced training;
- Review the adequacy of current training programs and activities and recommend professional enhancements;
- Review its case management practices, including:
  - Receipt and management of initial call for service
  - Call taking and dispatch procedures
  - Supervisory action and follow-up, especially Sergeant activities
  - Referral to investigative personnel
  - Case processing, paperwork, reporting and records.

**Recommendation 8:** That the City of Lakeland develop and utilize better, faster, clearer and more aggressive methods of communicating with the public, the media, and the City Commission in regards to the progress towards resolution of the cases of alleged wrong-doing, by the following parties:

- LPD sworn officers, within the constraints of the Police Officer's Bill of Rights.
- All other city employees, within appropriate legal guidelines

**1C. Processes, re: Personnel evaluation process, process for acculturating new members, setting and communicating expectations to City of Lakeland employees and the LPD employees, and training processes.**

**Commentary:** We believe that adequate personnel screening and hiring processes are in place and in most situations they compare favorably with other agencies (as confirmed by the recent successful accreditation efforts.) and Dr. Sewell's evaluation (see Appendix that follows) of same. Training needs improvement as it relates to the areas noted later in this report regarding improving specific skill sets (report writing, searches, knowledge of Code of Conduct and Florida statutes) and enhancing the organizational culture (stress honesty and integrity.) New, best practices performance evaluation techniques should be instituted, including 360<sup>0</sup> reviews and self-assessment where appropriate. While training systems have expanded under Chief Womack's leadership, ultimately the results of these efforts will be measured by performance. Training for first-line supervisors (Sergeants) has been a weak spot and is still work in progress.

In addition, we believe that there is value in requiring that a report to the employees of each department be made following the creation of a task force to meet and review their specific area of responsibility. Each of these Departmental Task Forces set their own area goals to improve the problem areas. These reports will be given to the City Commission by the City Manager and the need for improvement in each area will be addressed by leadership following the employee task force review and the results will be made public. The City Commission will signal if the Cultural Environment is an important area by the decisions they make and the focus given to this area.

**Recommendation 9 :** Retain qualified outside professionals to conduct an appropriately designed 360<sup>0</sup> performance appraisal of the City Manager and the Chief of Police. The results of these performance appraisals should be used to:

- Identify areas of strength and weakness
- Create improvement plans and milestones
- Provide the key executives with constructive, useful feedback and reduce subjective, ad-hoc criticism of their performance.

**Commentary:** The City's values and the LPD's values (Respect, Integrity, Teamwork, Excellence, commonly referred to as RITE) are visibly posted throughout the Department, including its training facilities. The Department's Values and its Code of Conduct are discussed during the mini-academy. Additionally, the Chief of Police and Assistant Chiefs of Police have lunch with the new officers on the second day of the mini-academy to discuss their expectations, ethics, and values.

**Recommendation 10:** That the administration of the Lakeland Police Department develop and implement an improved formal and ongoing process for ensuring the acculturation of new members into the Lakeland Police Department and the continuous reinforcement of the City's and the RITE Values among its existing personnel, particularly those in leadership and supervisory positions.

**Commentary:** A number of deficiencies in performance have been identified by sources inside and outside of the Department. In response to specific issues concerning courtroom testimony and search and seizure raised by State Attorney Jerry Hill, the Department has:

- Increased the training and exercises given to new police officers as part of the Department's mini-academy
- Is working with the Sheriff's Office to tape on-going training provided by the State Attorney's Office and provide the information to all personnel through Power DMS.
- Is bringing to the Department the 40-hour Courtroom Testimony class approved by the State's Criminal Justice Standards and Training Commission
- Provide the State Attorney's Office Legal Advisor training to all personnel via Power DMS
- Provide Police One training in conjunction with the Polk County Sheriff's Office
- Upon approval of a new policy on person searches, will be providing refresher training related to both that policy and search and seizure issues to all personnel.

**Recommendation 11:** That the Lakeland Police Department, in conjunction with the Office of the State Attorney, continue its efforts to improve the capabilities of the Department in the areas identified by the State Attorney through enhanced case review, training, and coordination. Additionally, the on-site guidance, counsel, and assistance currently provided by personnel from Mr. Hill's Office must be continued. It is especially important in fulfilling this recommendation that, since it was reported that the above training is either in place or about to be implemented, the Lakeland Police Department, working with the State Attorney's Office, practically test the training through on-going measurement and review.

**Question #2. How to improve a speak-up culture within the LPD and City of Lakeland?**

A. **Commentary:** We believe strongly that there is an immediate need to rebuild trust between and among city staff members from top to bottom. Initially, it may be necessary to enhance the formal complaint system so that employees will be comfortable with reporting and not fearful of retaliation. We must protect the employment of the whistle blower.

There will be an ongoing need to continually remind employees of the methods available to them for raising concerns and encouraging them to speak up. This may include the placement of informational posters all around the worksite with information about the confidential and anonymous reporting procedure; assuring that there will be follow through where necessary; including training for managers and supervisors on how to properly and positively respond when someone files a formal complaint; and publishing regular monthly statistics on complaints, resolution, etc. The City Commissioners should maintain an open-door/open-ear policy, but not cross the line from board member to management.

**Recommendation 12:** The City of Lakeland should upgrade the internal "Ask City Management" system as outlined below. The system should clearly permit anonymous comments. The City should consider adding a telephone-based 800 number tool under contract to a third-party vendor as an option for employees who do not have computers or who may not have faith in the confidentiality of the Ask City Management tool. Specific upgrades should include:

- Ensuring that all City employees who do not have computer access have easily accessible kiosk access.
- Creating - and using - management reports based on the "Ask City Management" data to identify problem areas, trends, etc.

B. **Commentary:** We believe it is important that leadership be available to their employees. There is evidence that the employees are not comfortable going to the 3<sup>rd</sup> floor of city hall or the police department to speak openly with management. Efforts should be made to significantly increase the interpersonal, informal contacts between the City Manager, Assistant City Managers, the Chief of Police, and other City department heads with all city employees. This should be done on a regular basis and in formats that encourage two-way communication and the open exchange of information.

While the Chief points to her open door policy, it has been suggested that it may be a policy in name only. This Commission received conflicting evidence that she routinely gets out and about with line officers. The chief and her command staff need to adapt to the new environment and "manage by walking around."

**Recommendation 13:** The City of Lakeland should significantly increase the interpersonal, **INFORMAL** contacts between the City Manager, the Chief of Police, and other department heads and City employees. Implement on a regularly scheduled basis – either individually or in small groups – in a format that encourages two-way communication and the effective exchange of information. We encourage both leaders to listen more and to present and talk less.

C. **Commentary:** We believe that conducting a **values survey** of all City employees (customized for the LPD) is the highest priority. Beyond the initial survey, a commitment should be made to regularly survey the employees, publish the data and findings, and provide follow-up action plans in response to issues that emerge. The responsibility for the survey should reside at the highest levels of City management (see recommendation #15.) with authority to cut across departments. The initial survey results should be used as benchmarks and included in the metrics referenced later in this report. The employees need to know that something will be done about the survey findings and that the survey results will not just be a report that goes away. A speak-up culture starts with leadership being upfront and transparent about survey findings, good or bad.

**Recommendation 14:** The City administration should retain qualified experts to design & administer a confidential/anonymous employee satisfaction/engagement survey of all City employees, including the LPD, not to include economic issues, the goal of which is to assess the following:

- Shared Values
- Attitudes towards work
- Morale and motivation
- Items needing to change/problem identification
- Support for current plans and direction

- a) The City administration should report the survey results to the City Commission, the city employees, and to the public. (refer to Tables 1.A and 1.B above). Also report on City Management action plans in response.
- b) The City administration should use the first iteration of the survey to establish "baseline" measures. Track the results of future surveys longitudinally over time to track progress.

D. **Commentary:** Although there was not an opportunity to conduct a comprehensive review of the City of Lakeland Human Resource department, the recent resignation of the HR Director and other events are of concern. Therefore, we believe that the Human Resources area of the city may be a problem area at a time when there are many issues involving HR. Clarify responsibility for the culture, values, and integrity at the highest levels, with direct reporting to the City Commission. The City of Lakeland should establish a policy whereby failure to live the City's "values" is a disciplinary offense. Remove employees who do not live the city's values. A bad employee can create a toxic environment that undermines the effort to create a speak-up culture. As noted earlier in this report, there is a need to establish and maintain extensive training for new employees and regular retraining for existing employees in culture, values, integrity and "duty to report." The City of Lakeland should review specific job requirements and where appropriate consider requiring college-level, accredited courses for all employees in the areas of Law Enforcement Ethics and Integrity. The focus must be on creating a positive culture, promoting teamwork and camaraderie. The City should formally let employees know they are valued, and that it is acceptable to reinforce "Expose the Code" talk in place of the unspoken rules of the "Blue Code of Silence and Misplaced Loyalties."

**Recommendation 15:** The City of Lakeland should significantly upgrade the management role and strategic role of the Human Resources department, specifically:

- Make the HR department the "keeper" and "champion" of the city's values, culture, morale, and make it responsible for training with significant authority to act across departmental lines.
- Have the HR director report directly to the city manager
- Add management resources to deal with the substantial additional workload that will result (employee surveys, internal investigations, training, communications, etc.)

***Recommendation 16:*** The City of Lakeland should formally add a "duty to report" and a "duty to observe the City's values" to its employee policy manual and require that all employees be protected from retaliation or fear of retaliation in such exercise.

**Question #3. How to improve a culture in which citizens can know that their complaints will be heard, fairly evaluated, and acted upon promptly?**

A. **Commentary:** A number of City departments (e.g., LPD & Lakeland Electric) have their own separate systems for capturing complaints, comments or other input and they may need to retain those systems for their unique business purposes. However, we believe there should also be a centralized, highly visible City-wide system that captures complaints, compliments and other input. It appears that the existing "Citizens Action Center" can serve as the foundation for such a system: it already exists, it is highly visible on the City web-site, and it can be easily enhanced.

A limited review of the system showed that is easy to use and would be more effective with simple enhancements. Concerns that are entered on the Citizens Action Center appear to be getting high priority for attention and the responses to citizens are appropriately detailed. Each citizen receives a "tracking number" that permits easy follow-up as well as names and contact information for the person handling the complaint. However, there should be a mechanism for the citizen to escalate a complaint if needed. Further, the system needs much upgraded management reporting (there is none today) to make the system more powerful. Reports from the Action Center should go to the City Manager's office and to Department heads so that they are responsible for resolution. Reporting should also be used to evaluate each department's customer service level and that helps in identifying - and correcting - problem areas, so that measurement leads to better results.

Ultimately, the goal is a "closed loop" system that both satisfies the citizens and leads to better transparency, accountability and performance. Once the Citizens Action Center is enhanced, output from the system (along with output from other systems such as the complaint system at LPD) can be used to ensure that citizens are satisfied with complaint handling.

**Recommendation 17:** The City of Lakeland should upgrade the City's "Citizen Action Center" (CAC) system on the City web-site to be the primary vehicle for capturing, tracking and resolving citizen concerns and comments and to:

- Improve "Citizen Action Center" visibility, tracking, reporting and analysis. Provide comprehensive public data "dashboard" as part of the "Citizens Action Center".
- Add mechanisms to identify and escalate unanswered items, if any. Use the data to drive action by City Management.
- Provide different reporting options – "Inquiries," "Compliments," "Complaints," and also expand or provide for subject area options under each operated department.
- Integrate the input from other sources – personal visits, e-mails or phone calls to Commissioners or City managers – into the system. This may be difficult to accomplish.

B. **Commentary:** We believe that efforts to build confidence in the Complaint System should include regularly scheduled (starting immediately following the Nov. 5 election) town hall meetings. The results of these town hall meetings should be published and made public. These meetings can also serve as a method for communicating with the public for the City Commissioners with the City Manager and the Chief of Police in attendance.

**Recommendation 18:** The City of Lakeland should increase citizen visibility of and accessibility to current City of Lakeland and Lakeland Police Department reporting of activities, incidents and complaints. Data should be published on a quarterly basis, not just annually, and made visible on the City/LPD web sites and through town hall meeting agendas.

**Question #4. Measurements that can be used to judge success.**

A. **Commentary:** While there may be many different measurement systems, each with its own set of metrics, the City and the LPD need to develop a limited set of "dashboard" metrics that would be of interest to the public and would be routinely calculated and easily explained. Metrics could include the number of complaints per time period (week/month/quarter), the type of complaint being registered, the method of resolution and the time to resolution. This data could be analyzed over time to determine if there are trends (going up or down), new issues emerging and how often, source methods for learning of the complaint, etc. Consideration should be given to employment metrics such as employee turnover by agency/department.

**Recommendation 19:** That the City Manager and Chief of Police report monthly to the City Commission on selected metrics related to:

- Those initiatives that are already underway (e.g., the LPD "Employee Task Force")
- Those initiatives that come from the approved recommendations contained in this report.

B. **Commentary:** As noted earlier in **Recommendation 14.b.**, the base-year results from the employee survey should be used as benchmarks for tracking progress over time. The survey should be conducted routinely, perhaps using a sampling method on a quarterly basis. In addition to common measures of employees' satisfaction and engagement, the survey should also be used to check on the current culture and the morale of the staff. The city should consider expanding the LPD's practice of giving "How are we doing cards" to citizens after each encounter with a city employee. These cards should be returned to the HR Department and a periodic report given to the City Commissioners.

**Recommendation 20:** That the City of Lakeland use the first iteration of the employee survey to establish "baseline" measures for the assessment of progress over time.

C. **Commentary:** The entire array of scandals, missteps, and heated conflict of the past year caught our City, its citizens and its leadership (both elected and hired) by surprise. As a result, we often saw divided opinions on the City Commission regarding actions to be taken and lack of clarity as to who, if anyone, "was in charge". That problem extended to the creation of this Police Advisory Commission and it continues today as old events become clearer and new events come to light. It creates substantial confusion and concern among citizens and makes it very difficult for the City management and work force to function confidently. We are uncertain how to articulate a "metric" for this problem but the problem and any results will clearly be measured by public opinion. We believe that immediately after the coming election that the City Commission should invest considerable thought in how to deal with events of this type and to much more clearly define the roles of the Commissioners, the Mayor and the City Manager in dealing with any matter that raises a crisis of public or employee confidence.

**Recommendation 21:** That the City of Lakeland develop, maintain, and adhere to a clearly stated crisis action plan which governs the roles, responsibilities, activities, and behaviors of all City employees as well as the flow of communications, during situations such as the current events.

**Summary and conclusions:**

The events that have come to light over recent months regarding the City of Lakeland and the Lakeland Police Department and that led to the creation of the Lakeland Police Advisory Commission (LPAC) are unfortunate but they have served a constructive purpose. Several important issues and discrepancies associated with these events have led to the development of new policies and procedures within the LPD and the larger organization that encompasses all of the City of Lakeland's operations. The LPAC was specifically charged with providing insights in response to four key questions. We believe we have conducted a careful and comprehensive review of materials associated with the events under investigation, with the full cooperation of the Chief of Police and the City Manager.

Our recommendations in response to each of the four key questions are meant to serve the citizens of Lakeland. We do not claim to know all there is to know about law enforcement. However, we have studied carefully the mountain of documents, policies, reports and case files that we requested from the City and the Police Department. We have individually talked to citizens, police chaplains, City employees and police officers. We have read citizen letters (some anonymous) and heard public input. We have heard extended testimony from the City Manager, Chief of Police and other City employees and had hours of conversation and questions with them. We have relied on law enforcement advice from Commission members Dr. Jim Sewell and Paul Roberts who have professional backgrounds and perspectives that were helpful. Frank O'Reilly has provided insight into City operations and governance as well as City Commission perspectives. We have also relied on the professional management expertise of Bruce Abels, Tim Jackson, Katrina Lunsford and Rick Garcia to provide insight into the organizational, management and cultural practices of corporate America and how they might be applied to the large organization that is the City of Lakeland and its Police Department. We have also relied upon the common sense, practical, community-based experience of Myra Bryant, Mary Smite and Maria Torres to reflect citizen input. Lastly, we have been helped by the wisdom, intellect, clarity and calm guidance of our hired facilitator, Dr. Larry Ross, without whose careful guidance and ear for consensus this report would not have been possible."

Ultimately, it is up to those who have been elected to serve, the Lakeland Mayor and its City Commissioners, to review these recommendations and the corresponding commentary. It is up to the Commissioners to determine which recommendations to act upon, the priority of those actionable recommendations, and which recommendations to abandon as inappropriate, unnecessary, or otherwise impractical for implementation.

It has been our privilege to serve the City of Lakeland. We are confident in the quality and depth of our work. We have discharged our duty and we are ready to return to our other pursuits. We remain prepared, however, to make ourselves available to the Mayor and City Commission, the City Manager, and the Chief of Police for any follow-up that may be necessary in their efforts to prioritize and implement our recommendations.

Respectfully submitted, October 21, 2013  
The members of the Lakeland Police Advisory Commission



### **Appendix A: On-site Review of the Lakeland Police Department**

As part of its review, the Lakeland Police Advisory Commission asked Dr. Jim Sewell, one of its members with a law enforcement background, to assess several areas of the Department's operations. While many of his observations are discussed in the Commission's full report, this Appendix includes all of Dr. Sewell's comments that were provided to the Lakeland Police Advisory Commission.

#### **1. Process for Acculturating New Members**

- Pre-employment screening process
- Field Training Program
- Utilization of Departmental Values in New Member Process
- On-going efforts at ensuring acculturation of personnel

##### Pre-employment screening process

The Lakeland Police Department handles the entire process for selection of its officers. Upon submission and acceptance of an on-line application for employment, prospective officers move through an initial process that includes a standardized cognitive skills test, a physical abilities test, a preliminary criminal history screening based on fingerprints, and an interview conducted by three LPD employees. Upon successful completion of these phases and with a conditional offer of employment, the applicant is subjected to a more thorough background investigation, a polygraph examination, an emotional stability and psychological fitness examination, medical examination, and drug screen testing.

It should be noted that, according to LPD personnel, the agency looks at work ethic in particular during the background investigation. As one officer noted, they are looking for "passion" for the profession rather than for someone who just wants a job.

In 2012, LPD received 203 "completed" applications and hired 14 officers from that pool. As of September 1, LPD has received 397 "completed" applications in 2013 and hired 13 of those.

##### Field Training Program

Upon employment and following completion of training required of all Florida law enforcement officers, newly appointed officers must complete a seven-week mini-academy, focusing on issues centered around Lakeland Police Department. This mini-academy has been recently extended from six to seven weeks to allow for more time devoted to report writing and courtroom testimony. Students must successfully complete a test each week throughout the duration of the mini-academy.

As part of the mini-academy, all New Members also receive an Orientation Checklist to ensure completion of specific elements of the orientation process. Included in this are reviews of the City policies on sexual harassment, workplace violence, and diversity in the workplace; human resource personnel from the City of Lakeland conduct three and-a-half hour trainings in each of these areas. Additionally, City of Lakeland human resource personnel also conduct a four-hour New Employee Orientation.

The Field Training Program consists of three phases, each four weeks long. This is supplemented by an additional two weeks of traffic enforcement and two weeks during which the officer in training is shadowed as he/she performs law enforcement activities. New officers are evaluated throughout the Program by an assigned Field Training Officer and must successfully complete all elements of the Program.

Field Training Officers are recommended by supervisory personnel to the Training Lieutenant. Upon acceptance into the Program, each must complete a formal 40-hour Field Training Officer course, approved by the State Criminal Justice Standards and Training Commission. Both the shift supervisors and the Training Lieutenant are responsible for monitoring the performance of those Field Training Officers with officers in training.

It should be noted that responsibility for the Field Training Program has recently been transferred from Patrol to Training.

#### Utilization of Departmental Values in the New Member Process

The Department's Values (Respect, Integrity, Teamwork, Excellence) are visibly posted throughout the Department, including in its training facilities. The Department's Values and its Code of Conduct are discussed with officers during the mini-academy. Additionally, the Chief of Police and Assistant Chiefs of Police have lunch with the new officers on the second day of the mini-academy to discuss their expectations, ethics, and values.

#### On-going efforts at ensuring acculturation of personnel

In Criminal Investigations, monthly sessions with all personnel emphasize integrity, ethics, and values.

## **2. Training Process**

- Identification of deficiencies and corrective training
- Customer service training
- Sergeants Academy

#### Identification of deficiencies and corrective training

A number of deficiencies in performance have been identified by sources inside and out side of the Department. In response to specific issues concerning courtroom testimony and search and seizure raised by State Attorney Jerry Hill, the Department:

- Has increased the training and exercises given to new police officers as part of the Department's mini-academy
- Is working with the Sheriff's Office to tape on-going training provided by the State Attorney's Office and provide the information to all personnel through Power DMS.
- Is bringing to the Department the 40-hour Courtroom Testimony class approved by the State's Criminal Justice Standards and Training Commission
- Provides the State Attorney's Office *Legal Advisor* training to all personnel via Power DMS
- Provides *Police One* training in conjunction with the Polk County Sheriff's Office
- Upon approval of a new policy on person searches, will be providing refresher training related to both that policy and search and seizure issues to all personnel

#### Customer service training

Other law enforcement agencies, such as the Winter Haven Police Department, have implemented customer service training to enhance the ability of their personnel, including police officers, to deal with citizens. Lakeland Police Department is now beginning a similar program of customer service training for its personnel.

### Sergeants Academy

The Department has initiated a 40-hour Sergeants Academy to prepare newly appointed supervisors for their increased responsibilities. Included in the curriculum is a discussion about expectations with the Chief of Police and a two-hour session on law enforcement ethics and the Department's Code of Conduct. Following completion of this class, newly appointed patrol sergeants are assigned a mentor to help their transition into the new position.

### **3. Investigative Process**

- Investigative Guidelines for completion and submission of reports
- Investigative Guidelines for follow-up investigations and time requirements
- Flow of investigative reports
- Supervisory review of written reports
- Coordination between Departmental units
- Coordination with outside agencies
- Relationship with Heads of Other Agencies

#### Investigative Guidelines for completion and submission of reports

Patrol officers are eligible for overtime compensation for any work beyond their normal tour of duty. In the past, this has impacted the preparation of reports assigned toward the end of a shift, and there could be a delay in submission of such reports and in their investigative follow-up. It is now expected that reports will be submitted before the end of an officer's shift, and overtime has been authorized to ensure that this occurs with major incidents.

#### Investigative Guidelines for follow-up investigations and time requirements

As soon as possible after receipt of the report in the Criminal Investigation Section, victims are to be contacted to acknowledge that the report has been assigned to the Criminal Investigation Section. In cases with a high solvability factor, victims are re-contacted with ten days for further updating on the status of their case. Low solvability cases, with no additional information, may be deactivated following the initial contact. It is required that all victims are notified if their case is deactivated.

#### Flow of Investigative information

The Department adopted the Tiburon Records Management System in May 2013. On officer-initiated reports, the submitted report flows from the officer through the supervisor to the Records Section for review, quality control, and filing. Unlike the Department's previous system, a copy of each report is not automatically printed out in Criminal Investigations; instead, a copy is printed in the Records Section and forwarded to Criminal Investigations for follow-up. Supervisors are supposed to notify Criminal Investigation of any "hot cases" by e-mail. This inefficiency in the system can and should be corrected by programmatic changes.

#### Supervisory review of written reports

As noted, the quality control function for the Department's report-writing system currently rests jointly with line supervisors and with personnel in the Records Section. Staff in the latter should be able to detect any issues not caught by the line supervisor. Departmental command staff recognize that this can relieve the immediate patrol supervisors of responsibility for adequately and completely reviewing the reports of their personnel and are anticipating a change in the immediate future.

In a number of cases, reports were erroneously labeled "Information" or reflected a lesser crime than should have been noted (e.g., Malicious Mischief rather than Burglary). The quality control review is designed to eliminate such errors and ensure correction to bad report-writing practices.

Additionally, to deal with previous criticisms concerning legal testimony, supervisors now review reports with officers prior to them going to court or to deposition.

Coordination between Departmental units

In October 2012, the Criminal Investigation Section added an evening shift of a sergeant and four detectives to assist in response to critical cases and better support Patrol. This, among other efforts, is aimed at enhancing communication between uniformed and investigative personnel and improving the coordinated response to criminal activity.

Coordination with outside agencies

Coordination with personnel in outside agencies generally seems to function well. It is important to note that Wade Warren, Felony Assistant State Attorney, is on-site every Wednesday to handle any questions or legal issues that may arise.

Relationship with Heads of Other Agencies

Chief Womack has occasionally attended meetings of the Polk County Chiefs of Police Association, as well as the Florida Police Chiefs Association. Several heads of other law enforcement agencies in Polk County, however, have expressed their desire that Chief Womack become more actively involved and, as the chief executive of the largest municipal agency in the County, play a greater role in activities

